

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43873 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- PIRBAHOR District- Patna

SAJIYA @ MUSKAN Daughter of Md. Muzaffar Resident of Masum Gali,
Dargah Road Mandai, P.S.- Sultanganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Pirbahore
P.S. Case No. 138/2022 registered for the offences punishable
under Sections 379, 411 of the Indian Penal Code.

As per prosecution case, the informant's money
amounting to Rs.4100/- was stolen by the petitioner and the
same was recovered from her possession.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. No incriminating article has been recovered from the
possession of the petitioner. The petitioner is languishing in



custody since 14.03.2022 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail, **if trial is preferably not concluded within six months from the date of receipt of the order** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna in connection with Pirbahore P.S. Case No. 138/2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates



without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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